

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Auerbach

Attorney Docket No.: CISCPO74

Application No.: 09/283,676

Examiner: Najar, Saleh

Filed: 04/01/1999

Group: 2154

Title: PROXIMITY AS AN AID TO CACHING
AND SECONDARY SERVING OF DATA

CERTIFICATE OF MAILING

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Signed:

Mia Mitchell-Haynes

Amendment B

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Technology Center 2100

Commissioner for Patents
Box Fee Amendment
Washington, D.C. 20231

Dear Sir:

This amendment and the enclosed remarks are submitted in response to the Office Action mailed May 22, 2002. Applicant respectfully requests reconsideration of the captioned application in view of the following remarks and amendments.

In the Claims:

Please amend the claims as follows:

14. (once amended) A method of loading content to a server in anticipation of need by network clients, the method comprising:
- (a) determining the location of a client or group of clients that require access to the content;
 - (b) identifying a first server currently storing the content and serving the client's requirements for access to the content;
 - (c) identifying a second server that does not currently store said content but that has the capability of storing and serving the content;
 - (d) determining a first proximity between the first server and the client or group of clients;
 - (e) determining a second proximity between the second server and the client or group of clients, wherein at least one of the first and second proximities is determined by at least one of the following factors: congestion, noise and loss on a network segment, and charges incurred to send ; and

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